

Allan Berger, LA Bar 2977
Allan Berger and Associates
4173 Canal Street
New Orleans, Louisiana 70119
Telephone: (504) 486-9481
Facsimile: (504) 483-8130
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

(SAN FRANCISCO DIVISION)

In re: Bextra and Celebrex Marketing Sales *
Practices and Product Liability Litigation *

MDL No. 1699
District Judge: Charles R. Breyer

EARL MORROW, HUSBAND *
OF AND KAREN MORROW *

Case No. 06-2690

Plaintiff, *

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE

VS. *

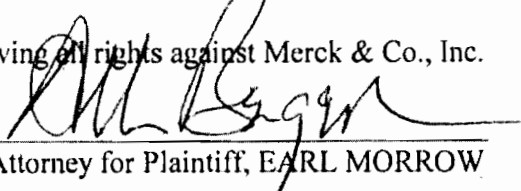
PFIZER, INC. , et al *

Defendants. *

Comes now the Plaintiff, **EARL MORROW, HUSBAND OF AND KAREN MORROW**, by and through the undersigned attorney(s), pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby seeks dismissal of this action *with prejudice* with each side bearing its own attorneys' fees and costs and reserving all rights against Merck & Co., Inc.

Dated: 3-18-09

BY


Attorney for Plaintiff, EARL MORROW

ALLAN BERGER & ASSOC., P.L.C.
ALLAN BERGER (BAR #2977)
4173 Canal Street
New Orleans, LA 70119
Telephone: (504) 486-9481
Facsimile: (504) 483-2201
aberger@allan-berger.com

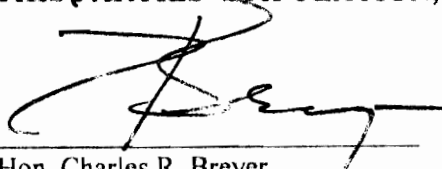
Dated: _____

BY: _____

DLA PIPER LLP (US)
1251 Avenue of the Americas
New York, NY 10020
(212)335-4500
Fax: 212-335-4501
DEFENDANTS' LIAISON COUNSEL

**PURSUANT TO THE TERMS SET FORTH IN THIS ~~PARTIES'~~ STIPULATION, IT IS
SO ORDERED.**

Dated: DEC 16 2009



Hon. Charles R. Breyer,
United States District Court